

REMARKS

STATUS OF CLAIMS

Claims 1-9, 12-34 and 37-43 are pending in this reissue application. Original Claims 10 and 11 have been canceled without prejudice. Original claims 1-9, 11-14, 17-19, 22, 23, 26-30, 32 and 33 have been amended. No new matter has been added.

EXPLANATION OF PRESENT CLAIM CHANGES AND OF SUPPORT IN THE DISCLOSURE OF THE PATENT FOR THE CHANGE

Claim 18 has been amended. By the present amendment, Claim 18 has been amended to depended on Claim 17. In accordance with the change in claim dependency, the grammar of claim 18 has also been amended. Support for this amendment is found in Original Claims 1, 17 and 18.

Claim 28 has been three times amended. By the present amendment, Claim 28 has been further amended to recite “wherein Λ is a spatial period.” Support for this amendment is found in col. 4, line 33, of the specification of the Original Patent No. 6,359,691 B2.

Claim 39 has been amended. By the present amendment, claim 39 has been amended to recite “at least one diffraction grating arranged beside at least one of the first grating assembly and the second grating assembly....” Support for this amendment is found in Original Claims 1, 17 and 18.

THE REJECTION

Claims 18 and 39 stand rejected under 35 U.S.C. § 112, second paragraph, as

indefinite.

Claims 35 and 36 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Ishizuka (U.S. Patent 5,498,870, hereafter, the "Ishizuka Patent") in view of Regener (U.S. Patent 5,194,917).

APPLICANT'S ARGUMENTS

Applicant gratefully acknowledges the Examiner's determination that claims 1-9, 12-17, 19-34, 37, 38 and 40-43 have been allowed (Office Action dated February 2, 2007, at 6, lines 1-3). Applicant also gratefully acknowledges the Examiner's determination that claims 18 and 39 contain allowable subject matter (Office Action dated February 2, 2007, at 6, lines 4-5).

In view of the present amendment, Claims 1-9, 12-34 and 36-43 are now in compliance with 35 U.S.C. § 112.

In view of the present amendment, the remaining claims 1-9, 12-34 and 36-43 are allowable for the reasons of record.

Conclusion

In view of the present amendment, Claims 1-9, 12-34 and 36-43 are in compliance with 35 U.S.C. § 112. Furthermore, Claims 1-9, 12-34 and 36-43 are allowable for the reasons of record.


For all of the above reasons, Claims 1-9, 12-34 and 36-43 are in condition for allowance, and a prompt notice of allowance is earnestly solicited.

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Questions are welcomed by the below signed attorney of record for the Applicant.

Respectfully submitted,

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